



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,150	06/21/2001	Llavanya X. Fernando	A-70049/MAK/LM	7754

7590 10/14/2004

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187

EXAMINER

CHEN, SHIN HON

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,150

Applicant(s)

FERNANDO ET AL.

Examiner

Shin-Hon Chen

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20010924</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-6 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1, 2, 4, and 6 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bilger et al. U.S. Pat. No. 6317835 (hereinafter Bilger).

4. As per claim 1, Bilger discloses a data-entry apparatus comprising: a device for entering data (Bilger: column 1 lines 45-62); a display for displaying information confirming the security of the data-entry apparatus (Bilger: column 2 lines 11-56); and an encryption circuit (Bilger: column 4 lines 8-38), communicatively coupled to the data-entry device and the display (Bilger: column 4 lines 8-38).

5. As per claim 2, Bilger discloses the data-entry apparatus of claim 1. Bilger further discloses wherein the device for entering data comprises a touch pad (Bilger: column 1 lines 45-62).

Art Unit: 2131

6. As per claim 4, Bilger discloses the apparatus of claim 1. Bilger further discloses the apparatus comprising a second display, and wherein the first and second displays are under the control of respective first and second controllers that in turn are communicatively coupled to and under the control of the encryption circuit (Bilger: column 1 lines 45-62: the apparatus provides encrypted data and non-encrypted data based on user's decision and the display will change accordingly).

7. As per claim 6, Bilger discloses a method for accepting data on a data-entry apparatus, the method comprising: refraining from displaying information asserting a data-entry device's ability to securely receive data (Bilger: column 1 lines 45-62; column 2 lines 11-39); then preparing to encrypt data received on the data-entry device (Bilger: column 5 lines 7-37); then displaying information asserting the data-entry device's ability to securely receive data (Bilger: column 5 lines 7-67).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bilger in view of White U.S. Pat. No. 6644547 (hereinafter White).

Art Unit: 2131

10. As per claim 3, Bilger discloses the apparatus of claim 1. Bilger does not explicitly disclose the apparatus comprising a second display, and wherein the first and second displays are physically separate. However, White discloses the keypad display is separated from the main display (White: column 12 lines 17-48). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use two displays in order to enter private information in one specific screen. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of White within the system of Bilger because it provides a protected area for user to enter sensitive information so that fraudulent activity can be avoided.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bilger in view of Chasko et al. U.S. Pat. No. 6715078 (hereinafter Chasko).

12. As per claim 5, Bilger discloses the apparatus of claim 1. Bilger does not explicitly disclose wherein the displayed information comprises an icon. However, Chasko discloses that limitation (Chasko: column 2 line 48 – column 3 line 4). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Chasko within the system of Bilger because displaying icon for user to enter is well known in the art and it is inherent for touch screen devices to provide icons so that users can select options.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McIntyre et al. U.S. Pat. No. 6630928 discloses method and apparatus for touch screen data entry.

McIntyre et al. U.S. Pat. No. 6549194 discloses method for secure PIN entry on touch screen display.

Yokomoto et al. U.S. Pat. No. 5768386 discloses method and system for encrypting input from a touch screen.

McCall et al. U.S. Pat. No. 5970146 discloses data encrypted touch screen.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (703) 305-8654. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen
Examiner
Art Unit 2131

SC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100